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CALIFORNIANS TO DEFEND THE OPEN PRIMARY
and INDEPENDENT VOTER PROJECT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PEACE AND FREEDOM PARTY OF
CALIFORNIA, *et al.*,

Plaintiffs,

vs.

Dr. SHIRLEY N. WEBER, CALIFORNIA
SECRETARY OF STATE,

Defendant.

CALIFORNIANS TO DEFEND THE
OPEN PRIMARY and INDEPENDENT
VOTER PROJECT,

Intervenor-Defendants.

Case No. 3:24-cv-08308-MMC

**[Proposed] ORDER GRANTING
INTERVENOR-DEFENDANTS'
REQUEST FOR JUDICIAL
NOTICE IN SUPPORT OF
MOTION TO DISMISS THE FIRST
AMENDED COMPLAINT**

DATE: July 11, 2025

TIME: 9:00 a.m.

COURTROOM: 7 (19th Floor)

JUDGE: Hon. Maxine M. Chesney

1 Having considered Intervenor-Defendants' request that the Court take judicial
2 notice of pleadings in prior related cases¹ in support of those parties' motion to
3 dismiss this action for failure to state a claim under Federal Rule of Civil Procedure
4 12(b)(1) and (6),

5 **IT IS HEREBY ORDERED** that Intervenor-Defendants' motion is
6 **GRANTED**. See *United States ex rel. Robinson Rancheria Citizens Council v. Borneo,*
7 *Inc.*, 971 F.2d 244, 248 (9th Cir. 1992) (courts "may take notice of proceedings in
8 other courts, both within and without the federal judicial system, if those proceedings
9 have a direct relation to matters at issue." (quoting *St. Louis Baptist Temple, Inc. v.*
10 *FDIC*, 605 F.2d 1169, 1172 (10th Cir. 1979)).

11 **IT IS SO ORDERED** this ____ day of _____, 2025.

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15 Hon. Maxine M. Chesney
16 United States District Judge
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27 _____
28 ¹ *Rubin v. Bowen* (subsequently renamed *Rubin v. Padilla*), Alameda County
Superior Court, Case No. RG11605301; *Wash. State Rep. Party v. Wash. State Grange*,
Case 05-cv-00927-JCC (W.D. Wash.),